

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2003-090235

06/29/2007

HONORABLE ALFRED M. FENZEL

CLERK OF THE COURT

C. Towles

Deputy

IN RE THE MATTER OF
COURTNEY N WOOD

COURTNEY N WOOD
4512 E GROVE AVE
MESA AZ 85206

AND

CHRISTY LYNN KLING

CHRISTY LYNN KLING
960 W SOUTHERN #227
MESA AZ 85210

TASC - MESA

MINUTE ENTRY

Courtroom 301-SE

1:45 p.m. This is the time set for Emergency Hearing. Petitioner/Father is present on his own behalf. Respondent/Mother is present on her own behalf.

A digital audio recording of this proceeding is made using "For the Record" recording system in lieu of a court reporter.

Mother addresses the Court. She advises the Court that she has submitted to one drug test through Family Drug Court in which the results were negative.

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Discussion is held regarding legal and physical custody of the minor children, the parties' Parenting Plan and Mother's parenting time. The Court is advised that Holden is currently in the care of Father and Harlie is currently in the care of the maternal grandmother.

Father addresses the Court.

Discussion is held regarding the previously ordered drug testing for Mother.

IT IS ORDERED affirming Mother's drug testing through the Family Drug Court Program.

IT IS FURTHER ORDERED that Mother shall undergo random drug testing on the following basis:

A. Agency. Mother's random drug testing shall be conducted at the following testing agency:

TASC, Inc.
423 North Country Club Dr
Suite 19
Mesa, Arizona 85201

B. First Test. Mother shall report to TASC no later than close of business today for their first test.

C. Scope. Mother shall undergo a full spectrum substance and drug test (Screen "A") for each test ordered herein.

D. Cooperation. Mother shall cooperate fully as reasonably required by the testing agency to comply with this Order, including:

1. Mother shall provide such samples as are reasonably required by the testing agency to comply with this order.

2. Mother shall timely report for testing and provide samples as directed by the testing agency.

3. Mother shall present photo identification to the testing agency at the time of each test, along with any prescription medications currently being taken.

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4. Mother shall sign and deliver such forms of consent, authorization and release of test results as shall be reasonably required by the testing agency to comply with this Order.

E. Cost. Father and Mother shall pay the cost of their testing in money order or cashier's check at the time of testing.

F. Frequency & Duration. Mother shall be randomly tested not less than once per week until further order of the Court.

G. Positive/Diluted/Missed Test. All parties are advised that the failure, neglect or refusal to participate in testing, or providing a diluted test sample at the time of testing, may be considered an admission by the party that the testing, if properly conducted, would have revealed the use of the substance(s) tested for, which finding is contrary to the best interest of a child.

H. Reporting. The parties are hereby advised that test results ARE NOT confidential and will be filed in the Court file upon receipt by the Court. The results of each test shall be reported directly to counsel for both parties, or directly to the parties at the addresses provided by the parties to the testing agency, if unrepresented by counsel. The testing agency shall also provide this Court with a copy of each test result.

Discussion is held regarding supervised parenting time for Mother.

IT IS ORDERED extending the *Temporary Order Without Notice for Child Custody (Pre-Decree)*, filed June 21, 2007, until the Evidentiary Hearing set herein.

IT IS FURTHER ORDERED amending the *Temporary Order Without Notice for Child Custody (Pre-Decree)* to reflect that Mother shall have supervised parenting time with the minor child on each Saturday from 12:00 p.m. until 4:00 p.m., until further order of the Court. The parties shall mutually agree in advance as to who will supervise Mother's parenting time.

IT IS FURTHER ORDERED setting Evidentiary Hearing on August 15, 2007 at 8:30 a.m. (Time allotted: 30 minutes) in this Division at the Southeast Judicial District, 222 East Javelina Avenue, Courtroom 301, Mesa, Arizona 85210.

Pursuant to Rule 77(C)(5), Arizona Rules of Family Law Procedure, each party will be allowed one-half of the available time to present all direct, cross, redirect examination and any argument. The parties are expected to complete the trial in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least thirty (30) days prior to trial setting forth good cause to extend the time and specifically including a list of each and every

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witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

IT IS FURTHER ORDERED that the parties shall file and provide this Division with a copy of a Joint Pre-hearing Statement pursuant to Rule 76, Arizona Rules of Family Law Procedure, no later than August 8, 2007.

IT IS FURTHER ORDERED that the Joint Pre-hearing Statement shall include the following attachments:

1. A current Affidavit of Financial Circumstances.
2. A current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.
3. A specific proposal for custody and parenting time by each party.

IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pre-hearing Statement which exhibits they have agreed will be admissible at hearing as well as any specific objections that will be made to any exhibit if offered at hearing which is not agreed to be admitted. Reserving all objections to the time of hearing will not be permitted.

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of hearing, or to timely present the Joint Pre-hearing Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 70(D), Arizona Rules of Family Law Procedure and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

IT IS ORDERED any evidence intended to be submitted as exhibits at the time of the Evidentiary Hearing must be brought to this Court's Clerk in Courtroom 301 **no later than 12:00 p.m. on Wednesday, August 8, 2007 with a coversheet listing the description of the exhibits.** All exhibits must be hand-delivered to Courtroom 301. The parties shall coordinate their exhibits so that each party does not present duplicate exhibits of the other party. In addition, at the time of the commencement of the hearing, **each party shall provide an extra copy of the exhibits for use by the Court during the hearing. This extra set of exhibits shall be noted to be the "Bench Copy".**

IT IS ORDERED with regard to discovery and disclosure requirements:

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1. Both parties shall exchange updated disclosure statements required by Rules 49 and 50, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits on or before July 16, 2007.
2. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure, shall be completed and any motions regarding discovery shall be filed no later than July 16, 2007.
3. Counsel and both parties shall confer on or before July 16, 2007 to conduct settlement discussions, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.
4. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution/company or business/medical or health care provider/employer possessing any relevant information.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, Arizona Rules of Family Law Procedure.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

2:00 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.

07/09/2007

Date

/ s / HONORABLE ALFRED M. FENZEL

JUDICIAL OFFICER OF THE SUPERIOR COURT